

### REMARKS

In the Final Office Action dated October 18, 2005, claims 1-3, 9, 10 and 17 were rejected under U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 4,573,035 ("Dolazza"). Furthermore, claims 4-8, 11-16 and 18-21 were rejected under U.S.C. §103(a) as allegedly being unpatentable over Dolazza, or over Dolazza in view of U.S. Patent No. 6,587,144 ("Kim") or U.S. Patent No. 6,654,054 ("Embler").

In response, Applicant has amended the independent claims 1, 9 and 17 to more clearly distinguish the claimed invention from the cited references. The independent claim 9 was also amended to correct a minor error. As amended, the independent claims 1, 9 and 17 are not anticipated by Dolazza, as explained below. Thus, Applicant respectfully requests that the amended independent claims 1, 9 and 17, as well as the dependent claims 4-8, 11-16 and 18-21, be allowed.

#### A. Patentability of Amended Independent Claims 1, 9 and 17

The Office Action has rejected the independent claims 1, 9 and 17 under U.S.C. §102(b) as allegedly being anticipated by Dolazza. In response, Applicant has amended claims 1, 9 and 17. As amended, the independent claim 1 recites:

"A method of correcting erroneous image signals comprising:  
providing a high signal and a low signal based on an image signal of a previously processed pixel, **said image signal of said previously processed pixel being an image signal of a captured image**, said high signal and said low signal defining a signal range about said image signal of said previously processed pixel; and  
digitizing an analog signal of a current pixel using said high and low signals as references to derive a digitized signal of said current pixel within said signal range, including limiting said analog signal of said current pixel by said high and low signals, **said analog signal of said current pixel being another image signal of said captured image.**" (emphasis added)

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegual Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131. The cited reference of Dolazza discloses providing an upper

analog signal (+Ref) and a lower analog signal (-Ref), which are used to produce a digital output signal, as illustrated in Fig. 7 and described in column 10, lines 8-30. However, the +Ref and -Ref signals are produced by a programmable read only memory look-up table (PROM) 284 using a first digital word of an analog signal V from an analog-to-digital converter 282. Thus, the +Ref and -Ref signals are NOT *"based on an image signal of a previously processed pixel, said image signal of said previously processed pixel being an image signal of a captured image"* (emphasis added), as recited in the amended independent claim 1. Thus, the cited reference of Dolazza does not disclose each element of the amended independent claim 1. As such, Applicant respectfully asserts that the amended independent claim 1 is not anticipated by Dolazza, and should be allowed.

The above remarks are also applicable to the amended independent claims 9 and 17, which include similar limitations. The amended independent claim 9 recites in part, *"means for outputting a high signal and a low signal based on an image signal of a previously processed pixel, said image signal of said previously processed pixel being an image signal of a captured image"* (emphasis added). Similarly, the amended independent claim 17 recites in part, *"a digital-to-analog converter that outputs a high signal and a low signal based on a digital image signal of a previously processed photosensitive pixel, said digital image signal of said previously processed pixel being an image signal of said captured image"* (emphasis added). Since the cited reference of Dolazza does not disclose *"providing a high signal and a low signal based on an image signal of a previously processed pixel, said image signal of said previously processed pixel being an image signal of a captured image,"* as recited in the amended claim 1, Dolazza also does not disclose the outputting means of the amended independent claim 9 nor the digital-to-analog converter of the amended independent claim 17. As such, Applicant respectfully asserts that the amended independent claims 9 and 17 are also not anticipated by Dolazza, and should be allowed.

#### B. Patentability of Dependent Claim 4-8, 11-16 and 18-21

Each of the dependent claims 4-8, 11-16 and 18-21 depends on one of the amended independent claims 1, 9 and 17. As such, these dependent claims include all

the limitations of their respective base claims. Therefore, Applicant submits that these dependent claims are allowable for at least the same reasons as their respective base claims.

Applicant respectfully requests reconsideration of the claims in view of the claim amendments and the remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,  
Ray Alan Mentzer

Date: December 15, 2005

By: Thomas H. Ham  
Thomas H. Ham  
Registration No. 43,654  
Telephone: (925) 249-1300